

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ADVANCED CABLE TIES, INC., : Civil Action

Plaintiff

-against-

BAY STATE CABLE TIES, LLC and
STEPHEN DALTON,

Defendants.

MAGISTRATE JUDGE 100

RECEIPT # _____
FILING FEE \$ 250
SLIP FEE ISSUED N/A
LOCAL RULE 4.1 _____
WAIVER FORM _____
MCF ISSUED _____
BY DEPT. CLK/ [Signature]
DATE 5/5/05

NOTICE OF REMOVAL

TO: UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

PLEASE TAKE NOTICE that, for the reasons set forth below, defendants Bay State Cable Ties, LLC and Stephen Dalton (hereinafter "defendants") file this Notice of Removal to remove this action from the Worcester Superior Court for the Commonwealth of Massachusetts to the United States District Court for the District of Massachusetts pursuant to 28 U.S.C. § 1441(b).

In support of the Notice of Removal, defendants state as follows:

1. On or about March 25, 2005, plaintiff filed its complaint and related papers in the Worcester Superior Court, Commonwealth of Massachusetts. Copies of those papers were served upon defendants by certified mail deposited in the U.S. mail on or about April 5, 2005.

2. This is an action for injunctive relief and monetary damages based upon defendants' alleged infringement of plaintiff's mark and name, asserted to be in violation of federal and state law regarding unfair competition. Plaintiff's causes of action arise under Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a); the Anticybersquatting Consumer

Protection Act, 15 U.S.C. § 1125(d); as well as the common law and state law provisions governing trademark infringement and unfair competition. This Court has subject matter jurisdiction of this action pursuant to 28 U.S.C. § 1331.

3. Pursuant to 28 U.S.C. § 1446, a copy of this Notice of Removal will be filed with the Clerk of the Worcester Superior Court for the Commonwealth of Massachusetts.

4. This Notice of Removal is signed pursuant to Fed. R. Civ. P. 11.

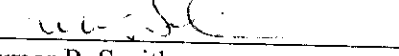
5. Annexed to this Notice is a copy of all process, pleadings and orders served upon defendants as of the date of this Notice.

WHEREFORE, defendants Bay State Cable Ties, LLC and Stephen Dalton respectfully request that this action be removed to this Court from the Worcester Superior Court for the Commonwealth of Massachusetts.

Dated: May 5, 2005

Respectfully submitted,

CURTIS, MALLET-PREVOST,
COLT & MOSLE LLP

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Attorneys for Defendants